

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

U.S. DISTRICT COURT  
FILED AT WHEELING, WV

AUG 14 2009  
NORTHERN DISTRICT OF WV  
OFFICE OF THE CLERK

CSX TRANSPORTATION, INC.,

Plaintiff,

v.

Civil Action No. 5:05CV202  
(STAMP)

ROBERT V. GILKISON and  
PEIRCE, RAIMOND & COULTER, P.C.,  
a Pennsylvania professional corporation  
a/k/a ROBERT PEIRCE & ASSOCIATES, P.C.,  
a Pennsylvania professional corporation,

Defendants.

**V E R D I C T**

1. Is CSX Transportation, Inc.'s lawsuit, which was filed on  
December 22, 2005, barred by the statute of limitations?

☐ Yes ☒ No

If the answer to Question 1 is "yes," then the plaintiff CSX Transportation, Inc. is barred from bringing this action and your verdict shall be for the defendants Robert V. Gilkison and Robert Peirce & Associates, P.C. Please proceed to have your jury foreperson sign and date the verdict form as indicated and return to the Courtroom. If the answer to Question 1 is "no," please proceed to answer the remaining question or questions.

2. Is the defendant Robert V. Gilkison liable to CSX Transportation, Inc. for fraud?

☐ Yes ☒ No

If you answer "yes" to the above question, please proceed to Question 3. If you answer "no" to the above question, you will return a verdict for the defendants. Please proceed to have your jury foreperson sign and date the verdict form as indicated and return to the Courtroom.

3. Is the defendant Robert Peirce & Associates, P.C. liable to CSX Transportation, Inc. for fraud?

☐ Yes ☐ No

If you answer "yes" to Question 3, your verdict will be for CSX Transportation, Inc. as against both defendants. If you answer "no," then your verdict based upon your "yes" answer to Question 2 will be for CSX Transportation, Inc. and against defendant Robert V. Gilkison only. In either event, please proceed to have your jury foreperson sign and date the verdict form as indicated and return to the Courtroom.

8-14-09  
DATE

Kathryn Pounall  
FOREPERSON